

Attorney Docket No. 101792-200
U.S. Serial No. 10/077,727
Page 5 of 7

REMARKS

In the present Office Action, claims 2, 4, 6-9, 11, 35, 36 and 40 and 41 were examined. Claims 2, 4, 6-9, 11, 35, 36, 40 and 41 stand rejected and no claims are allowed.

By this Amendment, claims 2 and 41 have been amended. No new matter has been added.

Rejections under 35 USC § 112, First Paragraph

Claims 2, 4, 6-9, 11, 35, 36, 40 and 41 were rejected under 35 U.S.C. § 112, first paragraph, as failing to comply with the written description requirement. The outstanding Office Action indicates that the rejection is for New Matter. Specifically, the Office Action notes that the amended claims are drawn to a core having the combination of surface oxidized copper powder, cuprous oxide and copper hydroxide as all three together, while the specification only provides support for the claimed elements in the alternative. In addition, the Office Action states that the instant Application does not appear to provide support for the newly added limitation of "substantially insoluble" surface oxidized copper power.

Responsive to the rejection based on the lack of support for a core having a combination of surface oxidized copper powder, cuprous oxide and copper hydroxide, Applicants wish to direct the attention of the Examiner to page 8, lines 24-29 of the instant application, wherein it states that "[p]referable copper-containing compounds that are useful in the invention include cuprous oxide, ... and copper hydroxide, or copper metal, either coated or uncoated, or surface oxidized ... Combinations of these copper-containing compounds may also used in accordance with the invention." The quoted portion of the specification indicates that surface oxidized copper powder, cuprous oxide and copper hydroxide are all copper-containing compounds and combinations of these copper-containing compounds may be used in accordance with the invention. Claims 2 and 41 have been amended to clarify that the copper-containing compound is selected from the specified Markush group as supported by page 8, lines 24-29 of the instant specification.

Responsive to the rejection based on the lack of support for the newly added limitation of "substantially insoluble" surface oxidized copper powder, Applicants herein have amended

RECEIVED
CENTRAL FAX CENTER
Attorney Docket No. 101792-200
JUL 11 2008 U.S. Serial No. 10/077,727
Page 6 of 7

claims 2 and 41 to remove the objectionable phrase "substantially insoluble," and to add the limitation that the solubility of the copper-containing compound is no greater than about 10 ppm. Support for this amendment may be found at page 8, lines 22 and 23 of the instant application.

Applicants submit that the instant claims are properly supported by the specification and respectfully request the Examiner to withdraw the rejection under 35 U.S.C. § 112, first paragraph.

Rejections under 35 USC §112, Second Paragraph

Claims 2, 4, 6–9, 11, 35, 36, 40 and 41 were rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Specifically, the outstanding Office Action states that the term "substantially insoluble" is a relative term and it is not defined by the claims nor the specification, therefore, one of ordinary skill in the art would not be reasonably apprised of the metes and bounds of the claimed invention.

In addition, the outstanding Office Action notes that the removal of the Markush-type language in claim 2 has rendered the claims vague and indefinite.

Responsive to this rejection, the Markush language has been re-inserted into claims 2 and 41 as supported by page 8, lines 24–29 of the instant specification.

Further, the term "substantially insoluble" has been removed, instead, the solubility of the copper containing compounds has been defined as no greater than about 10 ppm in independent claims 2 and 41. Moreover, the core of the composite particle has been redefined to comport with the disclosure shown on page 8, lines 24–29 of the instant application. Applicants submit that the claims, as amended, are definite. Accordingly, withdrawal of the rejection under 35 USC § 112, Second Paragraph, is respectfully requested.

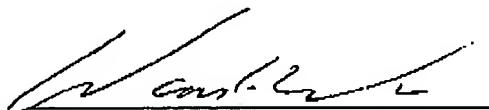
CONCLUSION

Applicants believe that the application is now in a condition for allowance. Accordingly, Applicants respectfully request consideration of the claims in their amended form, and an early

Attorney Docket No. 101792-200
U.S. Serial No. 10/077,727
Page 7 of 7

receipt of a Notice of Allowance thereof. Any fees due with this Reply may be charged to our Deposit Account No. 23-1665 under Customer Number 27267.

Respectfully submitted,
David F. Gavin, et al.



Wanli Wu
Reg. No. 59,045

Date: July 11, 2008

CONTACT INFORMATION:
WIGGIN AND DANA LLP
One Century Tower
New Haven, CT 06508-1832
Telephone: (203) 498-4317
Facsimile: (203) 782-2889
Email: wwu@wiggin.com

\12800\601\718076.1